

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

October 29, 2009

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on October 22, 2009 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Jackson; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending October 28, 2009 in the amount of \$ 242,828.57 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of October 22-28, 2009
- Report from the Building Inspector's Office from September 30, 2009 – October 27, 2009
- Statement of cash receipts from the Library for September 2009.
- Receipt of Finance Dept Statement of Revenues & Expenditures for September 2009.

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 1,502,243.54 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Valentine; Seconded by Councilor Jackson
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

John Seiden, Roosevelt Terrace. He had wanted to address Mayor and Council during the Public Hearing on Amending Empire Zone. Discussed Zone amendment, **Mayor Kasprzak** answered questions.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the Community Development Office to advertise for rebids for building improvements on Project Main St #5 (92 Bridge St, Campus Corner). The project consists of replacing the entire front façade and roofing.

By Councilor Carpenter; Second by Councilor Jackson
Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Bill Treacy, Manager MLD to write-off unpaid final bills from November 1, 2008 to November 30, 2008 in the total amount of \$2,129.39. The percentage of write-offs for this period is 0.19%.

By Councilor Kelly; Second by Councilor Carpenter
Discussion: None
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the request from Corporation Counsel to enact Plattsburgh Empire Zone changes:

- a. SEQR DETERMINATION ON PROPOSED PLATTSBURGH EMPIRE ZONE
BOUNDARY AMENDMENTS AND ZONE DESIGNATION

Resolution: The Common Council having reviewed a Short Form Environmental Assessment Form for the project called “Empire Zone Boundary Change and Designation”, the Common Council finds the proposed action will not have any significant adverse effect upon the environment:

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

b. RECEIPT OF MAYOR’S CERTIFICATION OF NEED FOR IMMEDIATE PASSAGE OF LOCAL LAW

Resolution: The Common Council acknowledges the receipt of a certification by the Mayor that there is a need for immediate passage of local law P 7 of 2009 and orders that such certification be made a part of the minutes of this meeting.

By Councilor Valentine; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

c. ADOPTION OF LOCAL LAW NO.7 OF 2009 AMENDING THE BOUNDARIES OF PLATTSBURGH EMPIRE ZONE AREAS 1, 2 AND ESTABLISHING ZONE AREA 4.

Motion: That Local Law No. P 7 of 2009 be adopted and enacted without reading the entire text thereof.

By Councilor Rabideau; Second by Councilor Carpenter

Discussion:

Councilor Calnon clarified some points on the Empire Zone amendment.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves the Half Marathon scheduled for April 18, 2010 to be a “City-sponsored event” relating to the City’s Event Insurance Requirements.

By Councilor Valentine; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. Motion to waive rule 4 for initial consideration “Request from City Engineer to award contract #

2009-15 for “Survey for City Streets & Properties”: Dennis Avenue survey to Thew Associates in the amount of \$2,200; St Charles Street and Cornelia Street survey to Architectural Engineering Design Associates in the amount of \$10,700 and Beekman Street and Park Avenue survey to Machabee Land Surveying in the amount of \$11,990 in the total amount of \$24,890.00.

By Councilor Rabideau; Second by Councilor Kelly

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

RESOLVED: In accordance with the request therefore the Common Council approves request from City Engineer to award contract # 2009-15 for “Survey for City Streets & Properties”: Dennis Avenue survey to Thew Associates in the amount of \$2,200; St Charles Street and Cornelia Street survey to Architectural Engineering Design Associates in the amount of \$10,700 and Beekman Street and Park Avenue survey to Machabee Land Surveying in the amount of \$11,990 in the total amount of \$24,890.00.

By Councilor Rabideau; Second by Councilor Calnon

Discussion:

Councilor Rabideau stated that City Engineer Kevin Farrington asked him to move so the Surveyor’s could get started on the project.

Councilor Kelly asked if this is done on a regular basis or was this done for a specific purpose. City Engineer Kevin Farrington answered that these are geared toward specific capital projects.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves a request from Bill Treacy, Manager MLD for Kelley Clookey, MLD Finance Director to attend the MEUA Accounting and Finance Workshop in East Syracuse, NY from November 17-19, 2009 at a cost not to exceed \$490.00.

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Jonathan Ruff Manager of Environmental Services that the proposal from Barton & Loguidice Construction Services for the Akey Landfill project is accepted and authorize the Mayor to sign all necessary paperwork to execute the agreement. The estimated cost is \$247,800 plus \$12,475 for work during the rebidding for a total of \$260,275. The source of funds is the Akey capital project.

Councilor Jackson discussed for the record Initials 1, 2, 3 and 4 to the Councilors in Jon Ruff's absence.
2. Request from Jonathan Ruff Manager of Environmental Services that the proposal from CDM for the MacDonough Monument Sewer System project is accepted and that the Mayor be authorized to sign all necessary paperwork. This is part of the 2009 Capital Plan and the cost not to exceed \$103,699, from the Sewer Reserve.
3. Request from Jonathan Ruff Manager of Environmental Services that the proposal from CDM for the Cumberland Avenue Pump Station CSO Upgrades project is accepted and that the Mayor be authorized to sign all necessary paperwork. This is part of the 2009 Capital Plan and cost not to exceed \$79,050, from the Sewer Reserve.
4. Request from Jonathan Ruff Manager of Environmental Services that the proposal from CDM for WPCP Headworks Improvements project is accepted and that the Mayor be authorized to sign all necessary paperwork. This is part of the 2009 Capital Plan and cost not to exceed \$199,500, from the Sewer Reserve.
5. Request from City Chamberlain to revise capital project H5110.20, the cost of the 2007 Site Closure Plan Design and Construction Prep Project to include the construction phase of the project.
6. Request from City Engineer to award contract # 2009-15 for "Survey for City Streets & Properties": Dennis Avenue survey to Thew Associates in the amount of \$2,200; St Charles Street and Cornelia Street survey to Architectural Engineering Design Associates in the amount of \$10,700 and Beekman Street and Park Avenue survey to Machabee Land Surveying in the amount of \$11,990 in the total amount of \$24,890.00. **(Moved to agenda under "Other Items" Letter E)**
7. **THE MAYOR HANDS DOWN THE APPOINTMENT OF JOHN GIRARD TO THE BOARD OF ASSESSMENT REVIEW EFFECTIVE OCTOBER 1, 2009 TO SEPTEMBER 30, 2014.**
8. Request from Fire Chief Paul Williams to attend the New York State Career Chiefs Meeting in Schenectady, NY on November 17, 2009 at a total cost not to exceed \$300.00.

10. NEW BUSINESS:

Councilor Jackson reminded everyone that Friday, October 30, 2009 at 11:30 am the City of Plattsburgh will be getting the stimulus check from the Governor's office.

Councilor Valentine asked how the student protest went. **Councilor Jackson** state he went there and there was only approximately 50 students there and no reason to close the street.

Councilor Rabideau asked where we were on the Rules of Etiquette for Public Comment and he is concerned about decorum of people addressing Council.

Councilor Kelly suggested they just wait until the Organizational session in January.

Mayor Kasprzak indicated that we should hope people are respectful and if they aren't he will ask them not to attack anyone personally. They should address the Mayor and Council as a group.

Councilor Rabideau asked if someone is attacking one of them directly would the **Mayor** mind if they asked for point of order. **Mayor Kasprzak** indicated that would be fine and he appreciated all their concerns last week.

Councilor Valentine and **Councilor Kelly** asked if we could just post the rules for public comment from the January 8, 2009 Organizational Meeting.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 6:00 pm